

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JUDIE BRANDY,**

**Plaintiff,**

**vs.**

**SPEEDEE MART SHELL,  
DANCO VALENTINE S, LLC, and  
JOHN DOES 1-2,**

**Defendants.**

**8:16CV70**

**ORDER**

This matter is before the court on the plaintiff's motion for leave to proceed in forma pauperis (Filing No. 9). The above captioned case was originally filed on February 9, 2016. **See** Filing No. 1. On the same date, the plaintiff applied and was granted leave to proceed without prepayment of filing fees. **See** Filing Nos. 2 and 4. The plaintiff took no further action on her case. The time for service of the complaint lapsed and, after providing additional time for the plaintiff to respond to court orders, the magistrate judge recommended the case be dismissed for failure to prosecute. **See** Filing Nos. 5-6. On July 7, 2016, the court dismissed the plaintiff's complaint, without prejudice to filing another lawsuit. **See** Filing No. 7. On October 12, 2016, after expiration of the time for seeking reconsideration or filing an appeal, the plaintiff, without leave of court, filed a document titled, "Amended Complaint" and, again, sought leave to proceed in forma pauperis. **See** Filing Nos. 8-9. These filings, in a closed case, are improper and will be stricken. The court will not prevent the plaintiff from initiated a new lawsuit. Upon consideration,

**IT IS ORDERED:**

The plaintiff's "Amended Complaint" (Filing No. 8) and motion for leave to proceed in forma pauperis (Filing No. 9) are hereby stricken. The Clerk of Court shall amend the docket to reflect the dockets are stricken.

Dated this 12th day of October, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge